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Beyond Compliance

Companies and organizations are learning that an environmental management system can improve not only environmental performance but also the financial bottom line.

Environmental management systems produce rewards for environmental results

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Why would any business or organization do more than is required by environmental laws? Does it pay to exceed standard expectations?

Business owners and operators who have gone the extra mile say the benefits are worthwhile. They report improving their financial bottom line, reducing the potential for accidents, and having an easier time complying with regulations. Moreover, managers and their employees gain the satisfaction of knowing their products used fewer natural resources and made less impact on the environment.



The TCEQ has introduced an incentives program that encourages regulated entities to reconsider their approach to planning and implementing day-to-day operations. An environmental management system (EMS) rewards private businesses and public organizations willing to re-evaluate and improve their environmental performance.

"The Texas EMS program is about achieving compliance, improving efficiencies, and reducing risk and liability," said TCEQ Chairman Robert J. Huston. "These types of beneficial results can lead to a business receiving regulatory incentives. As companies become more effective in achieving results, the TCEQ will be able to offer more incentives."

An environmental management system applies modern management techniques to environmental issues and ultimately leads to environmental considerations being factored into the mainstream business plan. This kind of system involves a continual cycle of planning, implementing, reviewing, and improving the actions that a business or organization undertakes to meet its business and environmental goals--those required by law and those that go beyond legal requirements.

At a facility that has an EMS, the managers and employees have analyzed their internal operations and asked some difficult questions, such as:

- How do our operations affect the environment? Do we use our materials, water, and energy as efficiently as possible throughout our facility?
- Are we effective in complying with environmental laws, controlling liability, and minimizing our impact on the environment?
- Do our employees know how to do their jobs in a way that minimizes environmental accidents and keeps us in compliance?
- How can we improve our environmental performance?

Companies adopting a voluntary EMS have demonstrated results such as air emission reductions, water quality improvements, and waste reduction, while benefiting from reduced water and energy use and better utilization of raw materials. A facility with an active EMS typically shows increased recycling, reduced generation of waste (hazardous and nonhazardous), and fewer problems with odors. These improvements lead to savings in utility bills and disposal costs.

To encourage businesses and organizations to adopt an EMS, the TCEQ is offering a variety of incentives--for example, higher compliance history scores after the EMS has been in place for a year.

"We are committed to managing the Texas EMS in a way that encourages and drives performance by providing meaningful incentives, conducting effective audits, and providing the best technical training and assistance," said

Houston.

Standards Evolve

Business managers have been looking to tighten operating efficiencies through environmental management for several decades. One of the more recent and widely used business standards is the ISO 14001 standard, a voluntary system that emerged in 1996 to encourage businesses and organizations around the world to address the impact of their activities on the environment. The standard, developed by the International Organization of Standardization, has been adopted by many international firms. Ford Motor Co., for example, requires its suppliers to be ISO-14001 certified.

In the last decade, the Environmental Protection Agency began to promote and test EMS programs using the ISO 14001 model, eventually recognizing entities with EMS programs through the National Environmental Performance Track. This EPA program provides federal recognition and incentives for entities that pass certain compliance criteria and have an EMS in place. In 2001, the Legislature directed the TCEQ to encourage the use of environmental management systems through regulatory incentives.

The Texas EMS draws elements from the ISO 14001 standard and EPA's performance track, then goes further. Similar to EPA, the TCEQ does certain compliance screening, but the state agency then requires a preapproval audit. It goes beyond the ISO 14001 by having the EMS focus on performance. The TCEQ not only evaluates an entity's past performance but looks closely at the EMS to determine whether it is structured sufficiently to yield future results. For example, is upper management fully committed? Are important procedures well documented?

The TCEQ and EPA have signed a memorandum of agreement to work cooperatively in delivering incentives and streamlining the evaluation process.

Programs Yield Results

EMS programs have been successful in businesses and organizations--large and small. During a two-year project, the Port of Houston Authority converted its fleet of cargo-handling equipment to use a new diesel emulsion product that reduces nitrogen oxide emissions by 25 percent and particulate matter by 30 percent. The Port also halved its use of clay absorbents with the help of a cement mixer designed by employees to dry out absorbents and reuse them.

In Dallas, a small firm called Texas Nameplate, which makes identification labels, lowered water discharges by 30 percent and electricity use by 10 percent in the first year of implementing an EMS. Those changes, along with making better use of floor space, yielded a savings of \$60,000.

Getting Involved

The Texas EMS has two levels. The Basic level aims to develop and implement an effective EMS focused on a facility's operations. Incentives at this level include state regulatory incentives and state recognition.

Participants at the Leader level agree to achieve higher environmental performance, to involve stakeholders in their environmental programs, and to give back to the community through outreach efforts. Incentives include those at the Basic level, as well as federal recognition and flexibility in federal requirements.

To be eligible for incentives, each EMS participant must be approved by the TCEQ through a standard evaluation process that includes compliance screening and an on-site evaluation. This evaluation is conducted by the TCEQ or a third party, with the agency making the final determination. Also, EPA's approval is needed for facilities seeking approval at the Leader level. Each participant's EMS will undergo an on-site audit at least every three years.

To start the process, sites submit a Declaration of Commitment to the TCEQ. Agency staff will then help the applicant prepare for the initial on-site audit.

So far, about 40 businesses have applied, and EMS audits have already begun.

The Basic Ingredients of an Effective EMS

- Having an environmental policy that upper management is committed to and employees identify as part of their jobs.
- Identifying the various impacts that a company has on the environment and prioritizing them by environmental significance.
- Setting goals that are meaningful and that improve environmental performance.
- Assigning responsibilities among staff, so everyone knows his or her individual role when it comes to environmental compliance and improvement.
- Documenting critical procedures to ensure that environmental performance is achieved.

- Measuring progress and evaluating performance.
- Demonstrating results that are achieved; continuing to show progress.

Examples of EMS Benefits

- A 10 percent credit in compliance history scores after the EMS has been in place one year.
- Modifications in state or federal regulatory requirements that do not change emissions or discharge limits. Modifications include reduced reporting, record keeping, and monitoring.
- Fewer inspections; more advanced notice of inspections.
- Exemptions from state requirements for pollution prevention planning.
- On-site technical assistance.
- Use of the Texas EMS logo.

Want to Know More?

To learn more about the Texas EMS or to receive assistance in filling out the Declaration of Commitment, call 512/239-3100, or send an e-mail to ems@tceq.texas.gov.

Information also is available at www.abouttexasems.org.

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